

REMARKS/ARGUMENTS

Reconsideration of the application as amended is requested.

In the specification, the Abstract of the Disclosure and paragraphs beginning at page 1, line 5; page 2, line 4; page 2, line 10; page 3, line 15; page 4, line 1; page 4, line 18; page 4, line 20; page 5, line 2; page 6, line 12; page 8, line 4; and page 8, line 8 have been amended to correct minor editorial problems.

Further, in the paragraph beginning at page 1, line 5, the handle of the jogging cart is now described as having a handle grip which is sufficiently flexible to facilitate cornering of towed bicycles. Support for this limitation is found in the original claim 7 and in the drawing.

Still further, in the paragraph beginning at page 3, line 15, the wheel carrier bracket is now characterized as being preferably adjustable in length to accommodate towed bicycles whose front wheels fall within a range of sizes. Support for this preferred characteristic is found in FIGS. 6 and 7.

Still further, in the paragraph beginning at page 4, line 18, FIG. 1 is described, as amended, as being an overview of the bicycle transporter in use towing two bicycles of different sizes, consistent with the drawing.

In addition, the paragraph beginning at page 1, line 18 has been expanded to include an example of a trip in which a bicyclist would likely have her bicycle towed part of the way. This example is found in the last sentence of the paragraph beginning at page 2, line 4 of the original specification and has been deleted from the latter paragraph with this amendment.

Claims 1, 2, 3, 4, 6, 7, 12 and 13 remain in this application. Claims 5, 8, 9, 10 and 11 have been canceled.

The allowance of claim 13 and the indication of the allowability of claims 4, 6-7, 12 is noted with appreciation.

Claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kolbus et al. in view of Lin. This rejection is respectfully traversed. Claim 1 has been amended to recite that (1) an elongated section of the towing arm proximate with the bracket assembly is aligned parallel with the rotational axis of the rear wheel of the first bicycle and (2) the cart has at least one frame member. Support for these limitations is found in FIGS. 1 and 8 and in lines 16-18, page 7; and in FIG. 8, respectively. In addition, claim 1 has been amended to recite means for removably attaching a second bicycle to the rear of the cart, as was recited in the original claim 1 of U.S. patent application Serial No. 10/104,435 and as is described in lines 8-15, page 8. Moreover, claim 1 (currently amended) no longer recites either means for towing the second bicycle with its front wheel held in a position in which it is turned at an angle of approximately 90 degrees, or at least

one flexible strap for holding the front wheel of a second bicycle near the rear axle of the cart and at least one second flexible strap for attaching the handlebar of the second bicycle to the handle of the cart, or the cart having a handle, a rear axle and front wheel support forks. These flexible straps, towing means, and cart's handle, rear axle, and front wheel support forks are unduly limiting and not necessary to the invention. Claim 1 (currently amended) is patentably distinguishable over the cited prior art.

Kolbus et al. disclose a convertible jogging cart in which a tow bar 120 is used to connect the towing bicycle seat post to the front wheel support forks of the jogging cart. The tow bar extends generally perpendicularly to the rotational axis of the rear wheel of the towing bicycle. "[T]o permit a safe and smooth ride", Kolbus et al. emphasize the need for a trailer hitch assembly which provides for pivotal movement of the assembly along three axes (see col. 2, lines 30-37; col. 3, lines 43-49). Their solution is a hitch assembly having a removable trailer attachment end 121 and a cycle hitch end 154 at distal ends of a yoke 144, respectively. Both the trailer attachment end and the cycle hitch end have pivot axes (pivot axis A in the case of the trailer attachment end and pivot axes B and C in the case of the cycle hitch end) -- a complex trailer hitch assembly.

A substantially less flexible trailing rod assembly for coupling the front ends of two lower beams of a baby

carrier to a bicycle chain stay is taught by Lin. In distinct contrast to the applicant's claimed combination, an elongated section of Lin's trailing rod 1 proximate with the front coupler 4 is aligned perpendicularly to the rotational axis of the rear wheel of the towing bicycle (see Lin's FIG. 2), consistent with Kolbus' towing bar 120.

The applicant was the first to recognize the advantages of a towing arm used to connect a towing bicycle to the front wheel support forks of a cart in which an elongated section of the towing arm proximate with the bracket assembly to which the arm is connected is aligned parallel with the rotational axis of the rear wheel of the towing bicycle, so that the towing arm tends to bend rather than stretch in response to a bump or the like, to-wit: a simple and reliable connection between the towing bicycle and cart in which not only does the towing arm not intrude on space needed for mounting a child seat above the rear wheel of the towing bicycle, but also this simple and reliable connection provides for a higher level of shock absorption when the bicycle/cart combination encounters a bump than would otherwise occur if said elongated section were to be aligned perpendicularly to said rotational axis. Accordingly, it is believed that the rejection of claim 1 under 35 U.S.C. 103(a) has been overcome by the amendment and remarks and should be withdrawn.

Claims 2, 3, and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kolbus et al. in view of Lin. These rejections are respectfully traversed. Claims 2 and 3 depend from claim 1 (currently amended) and are considered to distinguish over the cited prior art for the same reasons as those recited hereinabove with respect to claim 1. Claim 5 has been canceled.

Moreover, claim 3 has been amended to recite that the flexible connector is disposed downwardly of the lowest point on the rear wheel support structure. Support for this limitation is found in FIGS. 1, 13 and 15. In addition, claim 3 no longer recites that the apparatus comprises a hitch pin and that the flexible connector is attached thereto. The latter limitations are unduly limiting and not necessary to the invention. Positioning the flexible connector downwardly of the lowest point on the rear wheel support structure greatly reduces the arc along which the towing arm tends to move reactively -- that arc increasing with the distance between the flexible connector and the point of contact of the towing bicyclist's rear tire with the ground -- whenever the towing bicyclist moves his bike from side to side, thereby greatly reducing the likelihood of his accidentally tipping the cart. Accordingly, it is believed that the rejection of claims 2, 3 and 5 under 35 U.S.C. 103(a) has been overcome by the amendment and remarks and should be withdrawn.

Claim 4 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten

in independent form including all of the limitations of the base claim and any intervening claims. Claim 4 has been rewritten in independent form to include all of the limitations of claim 1 except for the limitations that (1) the means for towing the second bicycle includes at least one first flexible strap for holding the front wheel of the second bicycle near the rear axle of the cart and at least one second flexible strap for attaching the handle bar of the second bicycle to the handle of the cart; and (2) the cart has a handle, a rear axle and front wheel support forks. The latter limitations related to the first and second flexible straps and the cart's handle, rear axle, and front wheel support forks are unduly limiting and not necessary to the invention. Moreover, claim 4 has been amended to recite that the cart has at least one frame member, as shown in FIG. 8. Accordingly, it is believed that the objection to claim 4 has been overcome by the amendment and remarks and should be withdrawn.

Claims 6 and 7 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 6 has been rewritten in independent form to include all of the limitations of the base claim 1 and intervening claim 5. Claim 7 has been rewritten to depend from claim 6. Accordingly, it is believed that the objection to claims 6 and 7

has been overcome by the amendment and remarks and should be withdrawn.

Claim 12 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 12 depends from claim 1 (currently amended) and is considered to distinguish over the cited prior art for the same reasons as those recited hereinabove with respect to claim 1. Moreover, claim 12 (currently amended) recites a novel wheel carrier bracket attached to the cart for towing a third bicycle, the bracket holding the front wheel of the third bicycle during towing. Accordingly, it is believed that the objection to claim 12 has been overcome by the amendment and remarks and should be withdrawn.

The Examiner's recommendation that the applicant remove "for" from a phrase where intended use is not desired and the applicant desires to give the phrase patentable weight in a claim is noted with appreciation.

Applicant respectfully requests that a timely  
Notice of Allowance be issued in this case.

No additional fee appears to be necessary.

Respectfully submitted,  
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CERTIFICATE

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Signed:

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